

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36472 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- FATUA District- Patna

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Mithu Kumar @ Mithu Rai S/O Nabab Rai @ Nasib Rai R/O Village-
Daulatpur, P.S. Fathua, Dist. Patna.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code.

3. As per the prosecution case, the F.I.R. has been lodged against three named accused persons including the present petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. He submits that antecedent of the petitioner is clean and petitioner is a victim of false implication. He further submits that petitioner was not apprehended from the place of occurrence.

5. Learned A.P.P. for the State opposes the prayer for

bail and submits that two tractors of given description which were stolen were recovered.

6. In the present facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Fathua P.S. Case No.03 of 2023 to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City at Patna.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

8. However, the learned Court below shall consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of four weeks.

9. The present order shall not cause any prejudice to the petitioner.

(Dr. Anshuman, J.)

Ashishsingh/-

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